

<b>Office Action Summary</b>	<b>Application No.</b> 10/814,052	<b>Applicant(s)</b> AUERBACH ET AL.	
	<b>Examiner</b> Michael J. Hicks	<b>Art Unit</b> 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,8,11-47,49-51,54-61,73-100 and 102-109 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,8,11-47,49-51,54-61,73-100 and 102-109 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                    |
|--------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>20090514</u> .                           |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application  |
| Paper No(s)/Mail Date _____.                                                         | 6) <input type="checkbox"/> Other: _____.                          |

### **DETAILED ACTION**

1. Claims 1, 3-5, 8, 11-47, 49-51, 54-61, 73-100, and 102-109 Pending.  
Claims 2, 6-7, 9-10, 48, 52-53, 55-56, and 101 Canceled.  
Claims 26-46 and 62-72 Withdrawn.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1, 3-5, 8, 11-47, 49-51, 54-61, 73-100, and 102-109 have been considered but are moot in view of the new ground(s) of rejection. Examiner notes that a new rejection in view of Czerwinski et al. ("Visualizing Implicit Queries For Information management and Retrieval", CHI '99, Pages 560-567, 1999, ACM and referred to hereinafter as Czerwinski) in view of Horvitz et al. ("The Lumiere project: Bayesian user modeling for inferring the goals and needs of software users", Proceedings of the Fourteenth Conference on Uncertainty in Artificial Intelligence, Pages 256-265, 1998, Morgan Kaufmann: San Francisco and referred to hereinafter as Horvitz) is set forth herein.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-5, 8, 11-47, 49-51, 54-61, 73-100, and 102-109 rejected under 35 U.S.C. 103(a) as being unpatentable over Czerwinski in view of Horvitz.

As per Claim 1, Czerwinski discloses a computer-implemented method executed by one or more computer systems and comprising: automatically identifying an aspect associated with an article responsive to a user interaction with the aspect (*i.e. Page 561, Column 2, Paragraph 2 clearly discloses that user interaction (e.g. clicking) with an article (e.g. the representation of a page on the data mountain) results in an identification of that aspect within the article (e.g. the data mountain).);* implicitly generating a user-context-dependent search query based, at least in part, on the aspect, responsive to identifying the aspect associated with the article (*i.e. Page 562 clearly discloses that implicit queries are generated based on the aspect (e.g. selected web page).);* generating an insert based, at least in part, on the aspect, wherein the insert comprises a search result associated with the aspect and is generated responsive, at least in part, to searching an article index using the user-context-dependent search query (*i.e. Page 562 clearly discloses that implicit queries are generated based on the aspect (e.g. selected web page), Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article), and Page 561, Column 1, Paragraph 2 clearly discloses that the search result is generated by searching an article index (e.g. a Web based document index or any other suitable document index).);* and causing the insert to be displayed in a transient window proximate to the aspect (*i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article).).*

Czerwinski fails to disclose that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles.

Horvitz discloses that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles *(i.e. Page 258, Section 3.1 lists a plurality of recorded user interactions which are used as a basis for the implicit query to the user and page 264, Section 8, Paragraph 1 clearly indicates that the user interactions may be recorded as log data. Examiner notes that log data includes timestamp information. Examiner further notes that Page 260, Section 5, Paragraph 3 clearly discloses that timestamps for events are saved.)*.

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 3 and 49, Czerwinski discloses the article index comprises an index of articles available on the World Wide Web *(i.e. Page 561, Column 1, Paragraph 2 clearly discloses that the search result is generated by searching an article index (e.g. a Web based document index or any other suitable document index).)*.

As per Claims 4 and 50, Czerwinski discloses the article index comprises a local article index *(i.e. Page 561, Column 1, Paragraph 2 clearly discloses that the search result is generated by searching an article index (e.g. a Web based document index or any other suitable document index).)*.

As per Claims 5 and 51, Czerwinski discloses the local article index comprises a messaging index *(i.e. Page 561, Column 1, Paragraph 2 clearly discloses that the search result is generated by searching an article index (e.g. a Web based document index or any other suitable document index).)*.

As per Claims 8 and 54, Czerwinski discloses the search result comprises at least one of an article identifier, a thumbnail, a text snippet, a Uniform Resource Locator, and a path *(i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert as a thumbnail.)*.

As per Claims 11 and 57, Czerwinski fails to disclose causing the insert to be displayed in a transient window proximate to the aspect comprises causing the display of at least part of the insert in a pop-up window proximate to the aspect.

Horvitz discloses that causing the insert to be displayed in a transient window proximate to the aspect comprises causing the display of at least part of the insert in a pop-up window proximate to the aspect *(i.e. Page 262, Section 6.4, Paragraph 3 clearly disclose that the insert is displayed as a pop-up window.)*.

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It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include causing the insert to be displayed in a transient window proximate to the aspect comprises causing the display of at least part of the insert in a pop-up window proximate to the aspect with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 12 and 58, Czerwinski fails to disclose at least one of automatically identifying the aspect, generating the insert, and causing the insert to be displayed in a transient window is based, at least in part, on a user preference.

Horvitz discloses at least one of automatically identifying the aspect, generating the insert, and causing the insert to be displayed in a transient window is based, at least in part, on a user preference *(i.e. Page 262, Section 6.4, Paragraph 3 clearly discloses that the causing the insert to be displayed in a transient pop-up window is based on a user threshold preference.)*.

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include at least one of automatically identifying the aspect, generating the insert, and causing the insert to be displayed in a transient window is based, at least in part, on a user preference with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that

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Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 13 and 59 Czerwinski fails to disclose receiving the user preference.

Horvitz discloses receiving the user preference (*i.e. Page 262, Section 6.4, Paragraph 3 clearly discloses that threshold preference exists and therefor must be set/received.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include receiving the user preference with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 14 and 60, Czerwinski fails to disclose determining the user preference based, at least in part, on the user action history.

Horvitz discloses determining the user preference based, at least in part, on the user action history (*i.e. Page 262, Section 6.4, Paragraph 2 clearly discloses that the threshold preference is determined, at least in part, by the user action history which indicates to the user how likely they are to require assistance.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include determining the user preference

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based, at least in part, on the user action history with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 15 and 61, Czerwinski fails to disclose determining the user preference based, at least in part, on a system analysis.

Horvitz discloses determining the user preference based, at least in part, on a system analysis (*i.e. Page 262, Section 6.4, Paragraphs 1 and Figure 7 clearly disclose that the threshold preference is determined, at least in part, by a system analysis which determines the competency level of the user.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include determining the user preference based, at least in part, on a system analysis with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 16, Czerwinski fails to disclose the aspect comprises a hyperlink.



Horvitz discloses the aspect comprises a hyperlink (*i.e. Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents. Examiner notes that Office documents contain hyperlinks which the user may interact with to be identified as the aspect.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the aspect comprises a hyperlink. with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 17, Czerwinski fails to disclose the aspect comprises a title.

Horvitz discloses the aspect comprises a title (*i.e. Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents. Examiner notes that Office documents contain titles which the user may interact with to be identified as the aspect.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the aspect comprises a title with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 18, Czerwinski fails to disclose the aspect comprises an image.

Horvitz discloses the aspect comprises an image (*i.e. Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents. Examiner notes that Office documents contain images which the user may interact with to be identified as the aspect.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the aspect comprises an image with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 19, Czerwinski fails to disclose the aspect comprises a menu item.

Horvitz discloses the aspect comprises a menu item (*i.e. Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents. Examiner notes that Office documents contain menu items which the user may interact with to be identified as the aspect.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the aspect comprises a menu item. with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 20, Czerwinski fails to disclose the aspect comprises an input field.

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Horvitz discloses the aspect comprises an input field (*i.e. Page 261, Section 6 clearly discloses that the body of work encompasses excel documents. Examiner notes that excel documents contain input fields which the user may interact with to be identified as the aspect.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the aspect comprises an input field with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 21, Czerwinski discloses the article comprises a web page (*i.e. Page 561 clearly discloses that the article may be any electronic document including a web page.*).

As per Claim 22 and 51, Czerwinski discloses the article comprises a text document (*i.e. Page 561 clearly discloses that the article may be any electronic document including a text document.*).

As per Claim 23 and 51, Czerwinski discloses the article comprises an email message (*i.e. Page 561 clearly discloses that the article may be any electronic document including an email message.*).

As per Claim 24 and 51, Czerwinski discloses the article comprises an instant messenger message (*i.e. Page 561 clearly discloses that the article may be any electronic document including an instant messenger message.*).

As per Claim 25, Czerwinski discloses a computer-implemented method executed by one or more computer systems and comprising: automatically identifying an aspect associated with an article responsive to a user interaction with the aspect (*i.e. Page 561, Column 2, Paragraph 2 clearly discloses that user interaction (e.g. clicking) with an article (e.g. the representation of a page on the data mountain) results in an identification of that aspect within the article (e.g. the data mountain.); implicitly searching a local article index (i.e. Page 561, Column 1, Paragraph 2 clearly discloses that the search result is generated by searching an article index (e.g. a Web based document index or any other suitable document index).)* with a user-context-dependent search query for a search result associated with the aspect, wherein the user-context-dependent search query is based, at least in part, on the aspect (*i.e. Page 562 clearly discloses that implicit queries are generated based on the aspect (e.g. selected web page), Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article).); automatically generating an insert comprising an image representing the search result (i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article).); placing the insert into the article such that the insert will be displayed proximate to the aspect when the article is displayed (i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is*

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*presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article).); and causing the article to be displayed (i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article).).*

Czerwinski fails to disclose that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles.

Horvitz discloses that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles *(i.e. Page 258, Section 3.1 lists a plurality of recorded user interactions which are used as a basis for the implicit query to the user and page 264, Section 8, Paragraph 1 clearly indicates that the user interactions may be recorded as log data. Examiner notes that log data includes timestamp information. Examiner further notes that Page 260, Section 5, Paragraph 3 clearly discloses that timestamps for events are saved.)*.

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz

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presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 47, Czerwinski discloses a tangible computer-readable storage medium on which is encoded program code, the program code comprising: program code for automatically identifying an aspect associated with an article responsive to a user interaction with the aspect (*i.e. Page 561, Column 2, Paragraph 2 clearly discloses that user interaction (e.g. clicking) with an article (e.g. the representation of a page on the data mountain) results in an identification of that aspect within the article (e.g. the data mountain).);* program code for implicitly generating a user-context-dependent search query based, at least in part, on the aspect, responsive to identifying the aspect associated with the article (*i.e. Page 562 clearly discloses that implicit queries are generated based on the aspect (e.g. selected web page).);* program code for generating an insert based, at least in part, on the aspect, wherein the insert comprises a search result associated with the aspect and is generated responsive, at least in part, to searching an article index using the user-context-dependent search query (*i.e. Page 562 clearly discloses that implicit queries are generated based on the aspect (e.g. selected web page), Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article), and Page 561, Column 1, Paragraph 2 clearly discloses that the search result is generated by searching an article index (e.g. a Web based document index or any other suitable document index).);* and program code for causing the insert to be displayed in a transient window proximate to the aspect (*i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that*

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*the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article).).*

Czerwinski fails to disclose that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles.

Horvitz discloses that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles (*i.e. Page 258, Section 3.1 lists a plurality of recorded user interactions which are used as a basis for the implicit query to the user and page 264, Section 8, Paragraph 1 clearly indicates that the user interactions may be recorded as log data. Examiner notes that log data includes timestamp information. Examiner further notes that Page 260, Section 5, Paragraph 3 clearly discloses that timestamps for events are saved.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include that the implicit query is also based on a user action history comprising a plurality of dates upon which a plurality of user actions were performed on a plurality of articles with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 73, 78, and 83, Czerwinski fails to disclose the user-context-dependent search query is further based on a client application a user is executing.

Horvitz discloses the user-context-dependent search query is further based on a client application a user is executing (*i.e. Page 264, Section 8, Paragraph 2 clearly discloses that the search query is dependent on program state (e.g. a client application).*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the user-context-dependent search query is further based on a client application a user is executing with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 74, 79, and 84, Czerwinski fails to disclose the user-context-dependent search query is further based on a file upon which a user is performing an operation.

Horvitz discloses the user-context-dependent search query is further based on a file upon which a user is performing an operation (*i.e. Page 258, Section 3.1, Bullet Point 6 clearly discloses that the search query is based on document specific structure (e.g. a file upon which the user is performing an action).*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the user-context-dependent search query is further based on a file upon which a user is performing an operation with the motivation of expanding the amount and types of user feedback used to generate



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implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 75, 80, and 85, Czerwinski fails to disclose an action of the plurality of user actions is opening a file.

Horvitz discloses an action of the plurality of user actions is opening a file (*i.e.*

*Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents.*

*Examiner notes that user interaction involving Office documents include the ability of the user to open files.).*

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include an action of the plurality of user actions is opening a file with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 76, 81, and 86, Czerwinski fails to disclose an action of the plurality of user actions is printing a file.

Horvitz discloses an action of the plurality of user actions is printing a file (*i.e.*

*Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents.*

*Examiner notes that user interaction involving Office documents include the ability of the user to print files.).*

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include an action of the plurality of user actions is printing a file with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 77, 82, and 87, Czerwinski fails to disclose an action of the plurality of user actions is sending an email message.

Horvitz discloses an action of the plurality of user actions is sending an email message *(i.e. Pages 263-264 Section 7 clearly discloses that the body of work encompasses office documents. Examiner notes that user interaction involving Office documents include the ability of the user to forward files as email messages.)*.

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include an action of the plurality of user actions is sending an email message with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 88 and 104, Czerwinski fails to disclose causing the insert to be displayed in a transient window proximate to the aspect comprises causing a display of at least part of the insert in a drop-down window proximate to the aspect.

Horvitz discloses causing the insert to be displayed in a transient window proximate to the aspect comprises causing a display of at least part of the insert in a drop-down window proximate to the aspect (*i.e. Figures 7 and 8 clearly disclose that the transient windows includes drop down menus.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include causing the insert to be displayed in a transient window proximate to the aspect comprises causing a display of at least part of the insert in a drop-down window proximate to the aspect with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 89 and 102, Czerwinski discloses automatically identifying the aspect responsive to a user interaction with the aspect comprises: receiving a signal that indicates that a user has clicked on the aspect (*i.e. Page 561, Column 2, Paragraph 2 clearly discloses that user interaction (e.g. clicking) with an article (e.g. the representation of a page on the data mountain) results in an identification of that aspect within the article (e.g. the data mountain).*); and wherein causing the insert to be displayed in a transient window proximate to the

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aspect comprises causing the insert to be output in the transient window proximate to the aspect responsive to the signal (*i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article) ).*

As per Claims 90 and 103, Czerwinski fails to disclose automatically identifying the aspect responsive to a user interaction with the aspect comprises: receiving a signal that indicates that a pointer controlled by a pointing device is hovering over the aspect; and wherein causing the insert to be displayed in a transient window proximate to the aspect comprises causing the insert to be output in the transient menu proximate to the aspect responsive to the signal.

Horvitz discloses automatically identifying the aspect responsive to a user interaction with the aspect comprises: receiving a signal that indicates that a pointer controlled by a pointing device is hovering over the aspect (*i.e. Page 258, Section 3.1, Bullet Points 1-2 clearly discloses that the user interactions include mousing over and dwelling (e.g. hovering of a pointing device) on aspects.);* and wherein causing the insert to be displayed in a transient window proximate to the aspect comprises causing the insert to be output in the transient menu proximate to the aspect responsive to the signal (*i.e. Page 258, Section 3.1 clearly discloses that these interactions cause the insert to be displayed as disclosed above.).*

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include automatically identifying the aspect responsive to a user interaction with the aspect comprises: receiving a signal that

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indicates that a pointer controlled by a pointing device is hovering over the aspect; and wherein causing the insert to be displayed in a transient window proximate to the aspect comprises causing the insert to be output in the transient menu proximate to the aspect responsive to the signal with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claim 91, 99, and 105, Czerwinski discloses causing the insert to be displayed in a transient window proximate to the aspect comprises causing the insert to be displayed above the aspect *(i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article). Examiner notes that the documents are able to be displayed in the top margin.)*.

As per Claim 92, 100, and 106, Czerwinski discloses causing the insert to be displayed in a transient window proximate to the aspect comprises causing the insert to be displayed below the aspect *(i.e. Page 562, Column 2, Paragraph 3 and Page 567, Paragraph 2 clearly disclose that the search result is presented in an insert which is displayed in a transient window proximate to the display (e.g. margins, which examiner notes may be removed, and which are proximate to the article). Examiner notes that the documents are able to be displayed in the bottom margin.)*.

As per Claims 93, 96, and 107, Czerwinski fails to disclose the insert comprises a request for a user to perform an action.

Horvitz discloses the insert comprises a request for a user to perform an action *(i.e. pages 262-263, Section 6.4, Paragraph 4 and Figure 9 clearly indicates that the insert requests the user to specify their desired task.)*.

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the insert comprises a request for a user to perform an action with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 94, 97, and 108, Czerwinski fails to disclose the action to be performed by the user is an action to be performed on the article.

Horvitz discloses the action to be performed by the user is an action to be performed on the article *(i.e. pages 262-263, Section 6.4, Paragraph 4 and Figure 9 clearly indicates that the user actions which are specified are actions to be performed on the article.)*.

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the action to be performed by the user is an action to be performed on the article with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz

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presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

As per Claims 95, 98, and 109, Czerwinski fails to disclose the action to be performed by the user is to provide an instruction related to the article.

Horvitz discloses the action to be performed by the user is to provide an instruction related to the article (*i.e. pages 262-263, Section 6.4, Paragraph 4 and Figures 8 and 9 clearly indicates that the user actions which are specified are providing instructions related to the article.*).

It would have been obvious to one skilled in the art to modify the teachings of Czerwinski with the teachings of Horvitz to include the action to be performed by the user is to provide an instruction related to the article with the motivation of expanding the amount and types of user feedback used to generate implicit queries and noting that that Czerwinski clearly states, on Page 562, Column 1, Paragraph 3, that Horvitz presents a richer model for implicit query generation that is easy to incorporate into the teachings of Czerwinski.

### **Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Hicks whose telephone number is (571) 272-2670. The examiner can normally be reached on Monday - Friday 9:00a - 5:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Neveen Abel-Jalil can be reached at (571)272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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